

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Stephen T. Sonis and Edward G. Fey

Serial No: Continuation of 09/265,299

Express Mail Label  
No. EL 709 420 295 US

Filed: March 7, 2001

Date of Deposit: March 7, 2001

For: METHODS AND COMPOSITIONS FOR TREATING AND  
PREVENTING MUCOSITIS

BOX PATENT APPLICATION  
Assistant Commissioner of Patents  
Washington, D.C. 20231

**REQUEST FOR FILING A CONTINUATION APPLICATION  
UNDER 37 C.F.R. § 1.53(b)**

Sir:

This is a request for filing a continuation application under 37 C.F.R. § 1.53(b), of  
copending prior application U.S.S.N. 09/265,299 filed March 9, 1999, entitled "*Methods and  
Compositions for Treating and Preventing Mucositis*", by Stephen T. Sonis and Edward G. Fey.  
The application includes 1 page of abstract, 15 pages of specification, 7 pages of claims,  
1 sheet of formal drawing, and a copy of the corrected executed Declaration for Patent  
Application from prior application U.S.S.N. 09/265,299 from each of (1) Stephen T. Sonis;  
and (b) Edward G. Fey. An unexecuted Power of Attorney or Authorization of Agent by  
Mucosal Therapeutics LLC is also enclosed. The executed Power of Attorney or Authorization  
of Agent by Mucosal Therapeutics LLC will be submitted shortly.

Continuation of U.S.S.N. 09/265,299  
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**APPLICATION UNDER 37 C.F.R. § 1.53(b)**  
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Pursuant to 37 C.F.R. § 1.63(d), the copy of the executed Declaration included in the new application is a copy of the executed Declaration filed in parent application Serial No. 09/265,299, to which the new application claims benefit.

A Preliminary Amendment and an Information Disclosure Statement are enclosed.

Applicants also enclose from prior application U.S.S.N 09/265,299 filed March 9, 1999, copies of the (a) executed Assignment from Stephen T. Sonis and Edward G. Fey to Mucosal Therapeutics LLC, recorded August 30, 1999, at Reel 010209, Frame 0099; and (b) executed Statement Under 37 C.F.R. § 3.73(b) by Mucosal Therapeutics LLC.

This application is entitled to small entity status pursuant to 37 C.F.R. § 1.27.

Submitted with the new application are a (1) check in the amount of \$481.00 to cover the filing fee for a small entity; (2) Fee Transmittal (PTO/SB/17); and (3) Utility Patent Application Transmittal (PTO/SB/45). It is believed that \$481.00 is the proper filing fee for a small entity, as the application includes 3 independent claims and a total of 34 claims after entry of the enclosed Preliminary Amendment.

The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Order Account No. 01-2507. To facilitate this process, applicants have enclosed a duplicate of this letter.

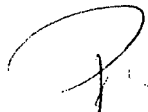
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This application is being filed on March 7, 2001, by mailing the application to Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231 via the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10. The Express Mail label number appears in the heading of this paper which is attached to the application papers pursuant to 37 C.F.R. § 1.10(b).

All correspondence concerning this application should be mailed to:

Patrea L. Pabst, Esq.  
ARNALL GOLDEN & GREGORY, LLP  
2800 One Atlantic Center  
1201 West Peachtree Street  
Atlanta, Georgia 30309-3450

Respectfully submitted,

  
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Patrea L. Pabst  
Reg. No. 31,284

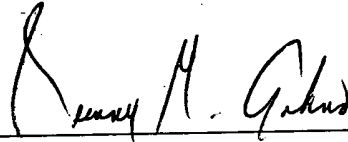
Date: March 7, 2001

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APPLICATION UNDER 37 C.F.R. § 1.53(b)**  
Express Mail Label No. EL 709 420 295 US  
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**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10**

I hereby certify that this REQUEST FOR FILING A CONTINUATION APPLICATION UNDER 37 C.F.R. § 1.53(b) and any documents referred to as attached therein are being deposited with the United States Postal Service on this date, March 7, 2001, in an envelope as "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, Mailing Label Number EL 709 420 295 US addressed to Box Patent Application, Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231.



Sunny G. Johns

Date: March 7, 2001

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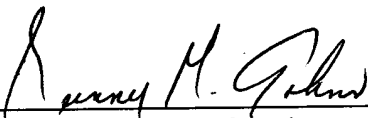
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**PRELIMINARY AMENDMENT**  
Express Mail Label No. EL 709 420 295 US  
Date of Deposit: March 7, 2001

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10**

I hereby certify that this PRELIMINARY AMENDMENT and any documents referred to as attached therein are being deposited with the United States Postal Service on this date, March 7, 2001, in an envelope as "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, Mailing Label Number EL 709 420 295 US addressed to Box Patent Application, Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231.

  
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Sunny G. Johns

Date: March 7, 2001